

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b),)
Table of Allotments,)
FM Broadcast Stations)
(Saint Joseph, Minnesota))

MM Docket No. _____

RM- _____

To: Chief, Allocations Branch

DOCKET FILE COPY ORIGINAL

PETITION FOR RULEMAKING

Saint John's University ("Saint John's" or "University"), by its attorneys and pursuant to Section 1.401 of the Commission's Rules, hereby petitions for rulemaking to amend the Commission's Table of FM Allotments (Section 73.202(b) of the Rules) to add Channel 260A at Saint Joseph, Minnesota.

As detailed in the attached engineering analysis prepared by Doug Vernier, Channel 260A may be allocated consistent with the FCC's spacing requirements as provided in Section 73.207 of the Rules, subject to a site restriction of 5.0 kilometers to the south of Saint Joseph to protect KXDL, Bowerville, Minnesota.

Saint Joseph is a Census Bureau-recognized community of 3,294 people and is the existing community of license for an unbuilt construction permit on Channel 225C3. Therefore, Saint Joseph may serve as the city of license for the proposed allocation.

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If the Commission assigns Channel 260A to Saint Joseph, Saint John's represents that it intends to submit an application for authority to construct and operate the new station. If the University's application is successful, Saint John's intends promptly to construct the facility.

This Petition is submitted as a result of the Commission's Report and Order, MM Docket No. 94-67, released March 28, 1995, dismissing a petition for rulemaking previously filed by Saint John's proposing to allocate Channel 260A to Collegeville, Minnesota, and reserving it for noncommercial educational use. Saint John's desired to operate the Collegeville station for the benefit of the student body and faculty of the University and its sister institution, the College of Saint Benedict. While the Notice of Proposed Rulemaking had originally proposed to adopt Saint John's allocation, the Report and Order stated that the Commission subsequently discovered it had "erroneously proposed" to reserve the Collegeville channel for noncommercial educational use.

Saint John's does not seek to restrict the allocation of Channel 260A at Saint Joseph for noncommercial educational use. However, Saint John's continues to desire a new radio facility to further the educational goals of the University community. Therefore, in the event Saint John's application for a new FM station at Saint Joseph is successful, it will operate the facility on a noncommercial educational basis.

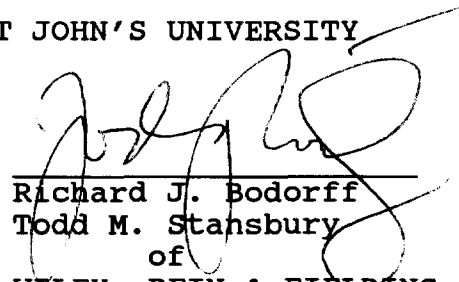
Because of the dismissal of the original petition proposing a new allocation at Collegeville, Saint John's respectfully requests expedited processing of this petition for Saint Joseph. Grant of the request will further the public interest by promoting the prompt introduction of a valuable new radio service to Saint Joseph, the University and surrounding community.

On the basis of the foregoing, Saint John's respectfully requests the Commission to amend the Table of FM Allotments by adding Channel 260A to Saint Joseph, Minnesota.

Respectfully submitted,

SAINT JOHN'S UNIVERSITY

By:



Richard J. Bodorff
Todd M. Stansbury
of
WILEY, REIN & FIELDING
1776 K Street, N.W.
Washington, DC 20006
(202) 429-7000

Its Attorneys

July 11, 1995

May 24, 1995

Engineering Statement:

On behalf of St. John's University of Collegeville, Minnesota the entire commercial FM spectrum was carefully analyzed to determine the availability of a channel assignment to serve St. Joseph, Minnesota. The channel search resulted in the identification of channel 260, (99.9 MHz) on which a class A station could operate and meet all spacing requirements of Section 73.207.

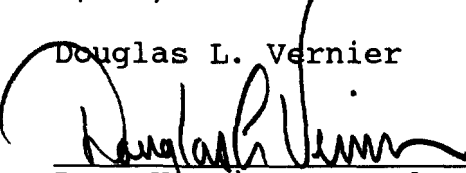
Due to a separation conflict with KXDL, Bowerville, Minnesota the proposed allocation site must be site restricted 5.0 kilometers to the south of St. Joseph. From such a site a class A facility could easily provide the entire city of St. Joseph with a 3.16 mV/m signal or better.

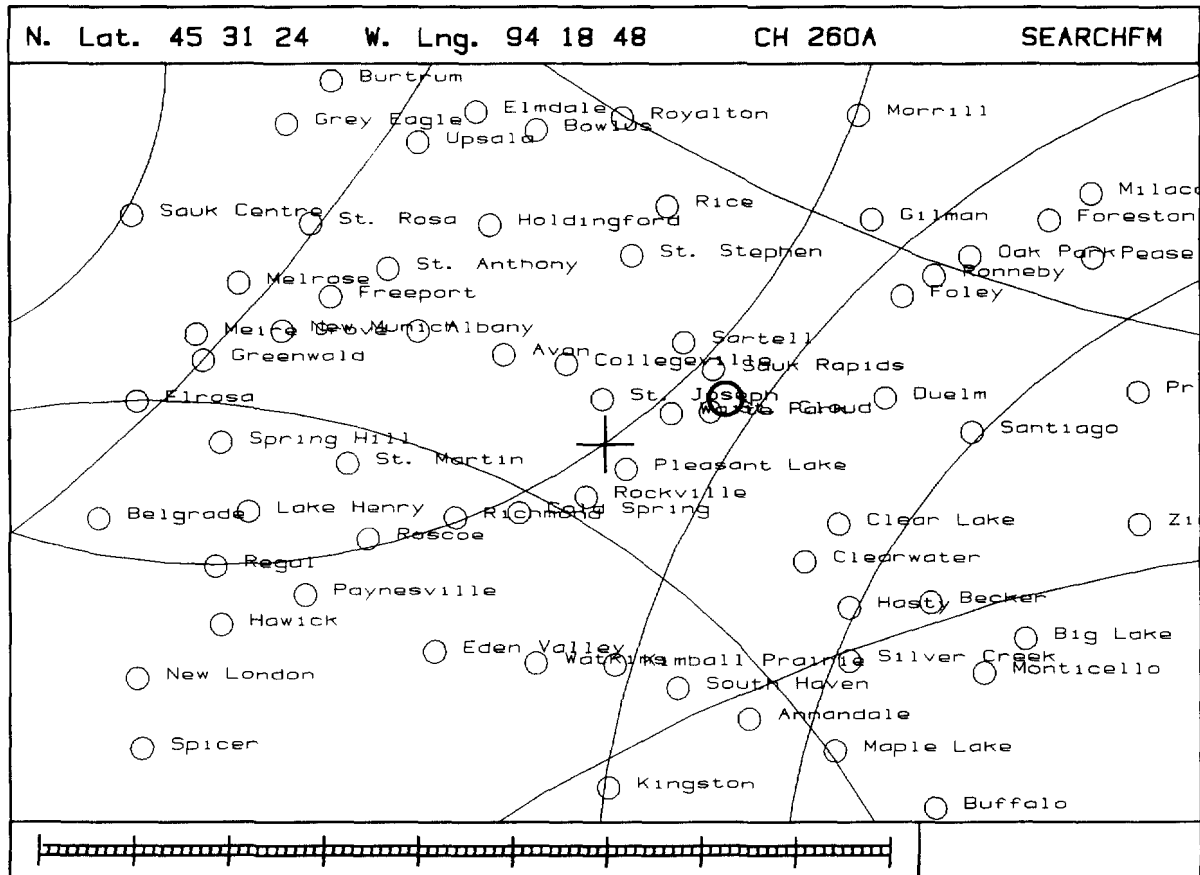
Exhibit # 1 is a computer generated separation study which shows the availability of channel 260. All pertinent co and adjacent channel assignments are shown along with their licensed class, coordinates and file numbers. This exhibit shows the proposed allocation site at the cross mark in the center of the map.

Exhibit # 2 is a channel study which gives information as to licensee name, station coordinates, power, antenna height and file numbers for all pertinent stations having a frequency and distance relationship.

The assignment will provide St. Joseph, Minnesota (population 3,294) with its second local radio service.

Douglas L. Vernier


Doug Vernier, Broadcast Consultant



Call	CH#	Location		D-KM	Azi	FCC	Margin
KXDL	259A	Browerville	MN	72.02	325.2	72.0	0.02
KOLV.C	261C3	Olivia	MN	97.38	210.0	89.0	8.38
KSJN	258C	Minneapolis	MN	106.65	118.6	95.0	11.65
KAUSFM	260C1	Austin	MN	229.85	156.0	200.0	29.85
WUSZ	260C1	Virginia	MN	231.38	26.2	200.0	31.38
WBOBFM	262C1	Minneapolis	MN	106.65	118.6	75.0	31.65
KVOXFM	260C1	Moorhead	MN	237.93	308.2	200.0	37.93
AD261	261A	Pequot Lakes	MN	120.01	0.2	72.0	48.01
KSTQ	257A	Alexandria	MN	87.24	297.5	31.0	56.24

DOUG VERNIER BROADCAST CONSULTANT
1600 PICTURESQUE DR. CEDAR FALLS IA 50613

Ex #2

St. John's University
CH 260 - St. Joseph Minnesota

REFERENCE
45 31 24 N
94 18 48 W

CLASS = A
Current Spacings

DISPLAY DATES
DATA 04-26-95
SEARCH 05-24-95

----- Channel 260 - 99.9 MHz -----

Call	Channel	Location	Power	Dist	Azi	FCC	Margin
N. Lat.	W. Lng.			HAAT			
KXDL	LI 259A	Browerville	MN	72.02	325.2	72.0	0.02
46 03 12	94 50 46	C CN	6.000 kW	95 M			
		Prairie Broadcasting Company,		BLH920526KB	940419		
KOLV.C	CP 261C3	Olivia	MN	97.38	210.0	89.0	8.38
44 45 49	94 55 49	CN	10.000 kW	83 M			
		Olivia Broadcasting Co.		BPH940927ID	950201		
KSJN	LI 258C	Minneapolis	MN	106.65	118.6	95.0	11.65
45 03 30	93 07 27	CN	100.000 kW	315 M			
		Minnesota Public Radio		BLH910814KH	920306		
KAUSFM	LI 260C1	Austin	MN	229.85	156.0	200.0	29.85
43 37 42	93 09 12	CN	100.000 kW	283 M			
		Orion Broadcasting Company		BLH4037	880615		
WUSZ	LI 260C1	Virginia	MN	231.38	26.2	200.0	31.38
47 22 52	92 57 18	C CN	100.000 kW	173 M			
		Virginia Broadcasting Co.		BLH880418KB	930507		
WBOBFM	LI 262C1	Minneapolis	MN	106.65	118.6	75.0	31.65
45 03 30	93 07 27	CY	100.000 kW	281 M			
		Radio 100 Limited Partnership		BLH930923KA	941027		
KVOXFM	LI 260C1	Moorhead	MN	237.93	308.2	200.0	37.93
46 49 09	96 45 56	C CN	100.000 kW	116 M			
		Forward Radio, Inc.		BLH820610AB	921004		
AD261	AD 261A	Pequot Lakes	MN	120.01	0.2	72.0	48.01
46 36 11	94 18 33	C	0.000 kW	0 M			
		Minnesota Christian Broadcast		RM8344	931230		
KSTQ	LI 257A	Alexandria	MN	87.24	297.5	31.0	56.24
45 52 48	95 18 40	C CN	6.000 kW	87 M			
		Branstock Communications		BMLH901119KA	930729		

Statement of qualifications of the preparer:

I, Doug Vernier, declare that I have studied engineering at the University of Michigan and have received degrees from the University in Broadcast Telecommunications. That I have been active in broadcast consulting for over 22 years;

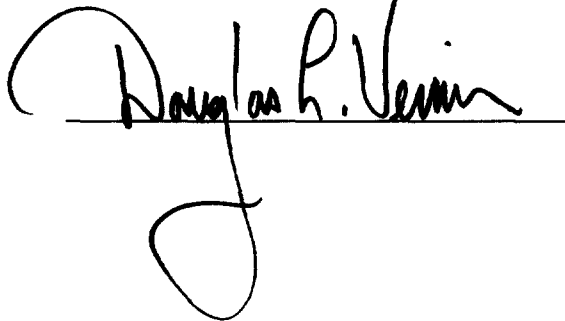
That, I have held a Federal Communications Commission First Class Radiotelephone License continually since 1964. In 1985 this license was reissued by the Commission as a lifetime General Radiotelephone license no. PG-16-16464;

That, I am certified as a Professional Broadcast Engineer (#50258) by the Society of Broadcast Engineers, Indianapolis, Indiana.

That, my qualifications are a matter of record with the Federal Communications Commission;

That, I have been retained by St. John's University of Collegeville, Minnesota (C/O Minnesota Public Radio) to prepare the engineering showings and the technical exhibits appended hereto;

That, I do swear that the technical information contained in same and the facts stated therein are true of my knowledge.

A handwritten signature in black ink, appearing to read "Douglas L. Vernier", is written over a horizontal line. The signature is stylized with a large loop at the end.

Douglas L. Vernier

May 24, 1995